

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America

v.

Luis Hernandez-Espinoza

Date of Original Judgment:

June 8, 2010

Date of Previous Amended Judgment:

(Use Date of Last Amended Judgment if Any)

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Case No: 7:09-CR-112-1-D

USM No: 55667-079

Thomas P. McNamara

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_

The amendment is applicable to the defendant, but does not have the effect of lowering the guideline imprisonment range. See [D.E. 103].

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

*(Complete Parts I and II of Page 2 when motion is granted)*

Except as otherwise provided, all provisions of the judgment(s) dated June 8, 2010 shall remain in effect. **IT IS SO ORDERED.**

Order Date:

7/9/15

  
Judge's signature

Effective Date:

(if different from order date)

James C. Dever III, Chief United States District Judge

Printed name and title